

TYPE OR PRINT
IN BLACK INK
(For instructions, see
booklet: "How to File an
Application to
Appropriate Water in
California")



California Environmental Protection Agency

State Water Resources Control Board
Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Tel: (916) 341-5300 Fax: (916) 341-5400

www.waterboards.ca.gov/waterrights

APPLICATION NO. **31810**

APPLICATION TO APPROPRIATE WATER

1. APPLICANT/AGENT

	APPLICANT	ASSIGNED AGENT (if any)
Name	Milton R. Holstrom	
	Lisa Holstrom Perry	
	Kim L. Gordon	
Mailing Address	P.O. Box 67	
City, State & Zip	Sierraville, CA 96126	
Telephone	530-994-3348	
Fax	same as above - call first	
E-mail	indoperry@citlink.net	

2. OWNERSHIP INFORMATION (Please check type of ownership.)

- | | | |
|---|--|---|
| <input type="checkbox"/> Sole Owner | <input type="checkbox"/> Limited Liability Company (LLC) | <input type="checkbox"/> General Partnership* |
| <input type="checkbox"/> Limited Partnership* | <input type="checkbox"/> Business Trust | <input type="checkbox"/> Husband/Wife Co-Ownership |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Joint Venture | <input checked="" type="checkbox"/> Other <u>Brother & Sister</u> |

*Please identify the names, addresses and phone numbers of all partners. s as co-owners

3. PROJECT DESCRIPTION (Provide a detailed description of your project, including, but not limited to, type of construction activity, area to be graded or excavated, and how the water will be used.) Add additional pages if needed and check box below and label as an attachment.

This application is for a claim of existing pre-1914 water right for stockwatering and pasture irrigation from a spring that has been continuously used since 1881 on a 348-acre parcel of undeveloped agricultural and timberland in Sierra County by the three applicants listed above. Water from a spring on the property has been continuously used to water livestock and irrigated a pasture since the property was sold by the USA and State of California to E.H. Miller, as shown on the attached certified deed from the Sierra County Recorder dated May 9, 1881. The property has historically been referred to as the "West Ranch" in successive deeds recorded in Sierra County. Two stockwatering ponds are fed by a developed channel from the spring, and a series of irrigation ditches distribute water from the channel to irrigate pasture. No surface water from this spring leaves the property. No additional development or works of diversion are requested in this application, it is only an application for a claim of pre-1914 water right.

☐ For continuation, see Attachment No. 1 1914 water right.

Rec'd
\$1,720.00
\$850.00 DFH
12/7/09
MS

d. County in which diversion is located: Sierra County in which water will be used: Sierra

b. State Planar and Public Land Survey Coordinate Description:

~~Sierraville, CA 96126~~

6. WATER AVAILABILITY

- a. Have you attached a water availability analysis for this project? ☐ YES ☒ NO

If NO, provide sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation: If needed, attach additional pages, check box below and label attachment.

Water measurements of the spring were made in the channel using a V-notch weir on two different dates, see attachment #3

☐ See Attachment No. and Photo #3.

- b. Is your project located on a stream system declared to be fully appropriated by the State Water Resources Control Board (State Water Board) during your proposed season of diversion?

☐ YES ☒ NO

- c. In an average year, does the stream dry up at any point downstream of your project? ☐ YES ☒ NO

If YES, during which months? ☐ Jan ☐ Feb ☐ Mar ☐ Apr ☐ May ☐ Jun ☐ Jul ☐ Aug ☐ Sep ☐ Oct ☐ Nov ☐ Dec

- d. What alternate sources of water are available if a portion of your requested diversion season must be excluded because water is not available for appropriation? (e.g., percolating groundwater, purchased water, etc.) If needed, attach additional pages, check box below and label attachment

None- there are no wells on the property and no flowing stream

☒ See Attachment No.s 3 (water measurements) and 4 (photos of spring)

7. PLACE OF USE

a.

USE IS WITHIN (40-acre subdivision)	SECTION*	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Acres	Presently cultivated?
NW ¼ of NW ¼	33	21N	14E	MDBM	3	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
NE ¼ of NW ¼	33	21N	14E	MDBM	3	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SE ¼ of SW ¼	28	21N	14E	MDBM	2.25	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
SW ¼ of SE ¼	28	21N	14E	MDBM	3	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
¼ of ¼						<input type="checkbox"/> YES <input type="checkbox"/> NO
Total Acres:					11.25	

*Please indicate if section is projected with a "(P)" following the section number.

☒ See Attachment No. 5 Please provide the Assessor's Parcel Number(s) for the place of use:

Siera County, CA APN #12-140-06

8. PROJECT SCHEDULE

Project is: ☐ proposed, ☐ partially complete or ☒ complete (Year completed pre-1914).

Extent of completion: Channel and stockponds were last cleaned around 1990 by then owner, Milton H. Holstrom

Estimated amount of time in years it will take for construction to be completed: n/a

Estimated amount of time in years it will take for water to be put to full beneficial use:

Beneficially used since 1881.

9. JUSTIFICATION OF AMOUNTS REQUESTED

- a. ☒ IRRIGATION: Maximum area to be irrigated in any one year: 11.25 acres.

CROP	ACRES	METHOD OF IRRIGATION (sprinklers, flooding, etc.)	WATER USE (Acre-foot/Yr.)	SEASON OF WATER USE	
				Beginning date (month & day)	Ending date (month & day)
Pasture grass	11.25	flood	54.56	Jan 1	Dec 31

- ☒ See Attachment No. 3 (Calculation of water placed to beneficial use)

- b. ☐ DOMESTIC: Number of residences to be served: _____ Separately owned?
☐ YES ☐ NO Number of people to be served: _____ Estimated daily use per person is:
 _____ gallons per day Area of domestic lawns and gardens: _____ square feet
 Incidental domestic uses:

(dust control area, number and kind of domestic animals, etc.)

- a. ☒ STOCKWATERING: Kind of stock: Cattle Maximum number: 200
 Describe type of operation: Fenced rangeland (West Side Ranch)
 (feedlot, dairy, range, etc.)

- d. ☐ RECREATIONAL: Type of recreation: ☐ Fishing ☐ Swimming ☐ Boating ☐ Other _____

- e. ☐ MUNICIPAL:

POPULATION List for 5-year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
Period	Population	Average daily use (gallons per capita)	Rate of diversion (cfs)	Average daily use (gallons per capita)	Acre-foot (per capita)	Total (acre-feet)
Present						

- ☐ See Attachment No. _____

Month of maximum use during year: _____

Month of minimum use during year: _____

- f. ☐ HEAT CONTROL: Area to be heat controlled: _____ net acres
 Type of crops protected: _____
 Rate at which water is applied to use: _____ gpm per acre
 Heat protection season will begin _____ and end _____
 (month and day) (month and day)
- g. ☐ FROST PROTECTION: Area to be frost protected: _____ net acres
 Type of crops protected: _____
 Rate at which water is applied to use: _____ gpm per acre
 The frost protection season will begin _____ and end _____
 (month & day) (month & day)
- h. ☐ INDUSTRIAL: Type of industry: _____

e. Outlet pipe: Complete for storage reservoirs having a capacity of 10 acre-feet or more.

RESERVOIR NAME OR NUMBER	OUTLET PIPE				
	Diameter in inches	Length in feet	Fall: Vertical distance between entrance and exit of outlet pipe in feet	Head: Vertical distance from spillway to entrance of outlet pipe in feet	Dead Storage: Storage below entrance of outlet pipe in acre-feet

☐ See Attachment No. ____

e. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to off-stream storage will be _____ cfs. Diversion to offstream storage will be made by:

☐ Pumping ☐ Gravity

11. CONSERVATION AND MONITORING

a. What methods will you use to conserve water? Explain.

~~Unused water evapotranspires or percolates back into the ground.~~

b. How will you monitor your diversion to be sure you are within the limits of your water right and you are not wasting water? ☐ Weir ☐ Meter ☐ Periodic sampling ☐ Other (describe)

~~V-notch weir if necessary.~~

12. RIGHT OF ACCESS

a. Does the applicant own all the land where the water will be diverted, transported and used?

☒ YES ☐ NO

If NO, I ☐ do ☐ do not have a recorded easement or written authorization allowing me access.

b. List the names and mailing addresses of all affected landowners and state what steps are being taken to obtain access:

~~None - water has never flowed off of property.~~

☐ See Attachment No. ____

13. EXISTING WATER RIGHTS AND RELATED FILINGS

a. Do you claim an existing right for the use of all or part of the water sought by this application?

☒ YES ☐ NO

If YES, please specify: ☐ Riparian ☒ Pre-1914 ☐ Registration ☐ Permit ☐ License

☐ Percolating groundwater ☐ Adjudicated ☐ Other (specify) _____

b. For each existing right claimed, state the source, year of first use, purpose, season and location of the point of diversion (to within quarter-quarter section). Include number of registration, permit, license, or statement of water diversion and use, if applicable.

Source is an existing spring on the property located in the NW1/4 of NW1/4 Sec. 33, T.21N., R.14E as described in the POD of this application. The year of first use was around 1881.

☒ See Attachment No. 6 (Certified copy of deed from Sierra County Recorder dated May 9, 1881.

- c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion.

none

☐ See Attachment No. _____

14. OTHER SOURCES OF WATER

Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? ☐ Yes ☒ No If yes, please explain: _____

15. MAP REQUIREMENTS

The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the quarter/quarter, section, township, range, and meridian of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at <http://topomaps.usgs.gov>. A certified engineering map is required when (1) appropriating more than three cubic feet per second by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1,000 acre-feet per annum by underground storage. See the instruction booklet for more information.

☒ See Attachment No. 2—(POD and property boundary plotted on topographic map)

ENVIRONMENTAL INFORMATION

Note: Before a water right permit may be issued for your project, the State Water Board must consider the information contained in an environmental document prepared in compliance with the California Environmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet been prepared for your project, a determination must be made of who is responsible for its preparation. If the State Water Board is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required documents. Please answer the following questions to the best of your ability and submit with this application any studies that have been conducted regarding the environmental evaluation of your project.

16. COUNTY PERMITS

- a. Contact your county planning or public works department and provide the following information:

Person contacted: Andrew Winberry Date of contact: 11-20-2009

Department: Sierra County Planning Department Telephone: (530) 289-3251

County Zoning Designation:

A-1 (Agricultural 1)

Are any county permits required for your project? ☐ YES ☒ NO If YES, check appropriate box below:

☐ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning
☐ General plan change ☐ Other (explain): _____

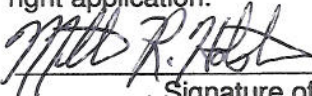
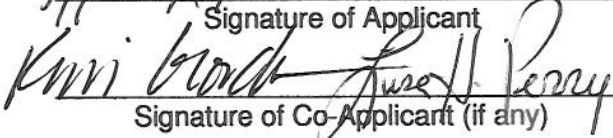
- b. Have you obtained any of the required permits described above? ☐ YES ☐ NO

If YES, provide a complete copy of each permit obtained.

☐ See Attachment No. _____

DECLARATION AND SIGNATURE

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

 _____ Signature of Applicant	CO-owners _____ Title or Relationship	11/30/09 _____ Date
 _____ Signature of Co-Applicant (if any)	CO-owners _____ Title or Relationship	11/30/09 _____ Date

Applications that are not completely filled out and/or do not have the appropriate fees will not be accepted. In the event that the Division has to return the application because it is incomplete, a portion of the application submittal fee will be charged for the initial review.

"APPLICATION TO APPROPRIATE WATER" CHECKLIST

Before you submit your application, be sure to:

- ☐ Answer each question completely.
- ☐ Number, label and include all necessary attachments.
- ☐ Include a legible map that meets the requirements discussed in the instruction booklet.
- ☐ Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation.
- ☐ Include two complete sets of color photographs of the project site.
- ☐ Enclose a check for the required fee, payable to the Division of Water Rights.
- ☐ Enclose an \$850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game.
- ☐ Sign and date the application.

Send the original and one copy of the entire application to:

State Water Resources Control Board
 Division of Water Rights
 P.O. Box 2000
 Sacramento, CA 95812-2000